

# RICHES, MCKENZIE & HERBERT LLP

508010  
10281  
BARRISTERS & SOLICITORS  
PATENT & TRADE MARK AGENTS  
PAUL HERBERT, B.Sc., PHM., LL.B.  
BRANT LATHAM, B.A.Sc. (CHEM.ENG.), LL.B., P.ENG.  
DANIEL CHCOCK, B.ENG., LL.B., P.ENG.  
GARY L. TRAVIS, B.Sc. (GEOLOG.), LL.B.  
JEFF PAVANAS, B.A.Sc. (ENG.SCI.), LL.B.  
JASON LEUNG, B.Sc. (GENETICS), J.D.  
CHRISTOPHER B. WATSON, B.A.Sc. (CIVIL ENG.), LL.B.  
ROSAMARIA LONGO, B.Sc. (NEUROSCIENCE), LL.B.  
PATENT & TRADE MARK AGENTS  
A. LEONARD GROVE  
MARTA TANDORI CHENG

SUITE 1800  
2 BLOOR STREET EAST  
TORONTO, CANADA  
M4W 3J5

TELEPHONE (416) 961-5000  
FAX (416) 961-5081  
E-MAIL [riches@patents-toronto.com](mailto:riches@patents-toronto.com)

CONTINUING THE PRACTICE OF  
GEORGE H. RICHES AND ASSOCIATES  
ESTABLISHED 1887

January 7, 2004

Our Case No. P84103

## MAIL STOP PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
U.S.A.

22581 U.S. PTO  
10/752702  
016804

Dear Sir:

Transmitted herewith for filing is the patent application of:

Inventor: SHELEMAY, Avi and KEHOE, Mike  
Title: Implant for Use in Aesthetic Regions of the Mouth With Coloured Contoured Edge Portion

(A continuation-in-part of International application Serial No. PCT/CA02/01055, filed July 10, 2002, entitled "Implant for Use in Aesthetic Regions of the Mouth").

Enclosed are:

- A Specification including:
  - 2 page Declaration
  - Pages 1 - 27 Disclosure
  - Pages 28 - 33 Claims (1 - 23)
  - Abstract
  - Five (5)sheets of drawings (in triplicate)
  - Figures 1 to 9
- Power of Attorney form - Mike Kehoe (unsigned)
- Power of Attorney form - Avi Shelemay (unsigned)
- A Declaration supporting a 50% fee reduction (Independent Inventor - 1 page) (unsigned)
- A Declaration supporting a 50% fee reduction (Small Business - 1 page) (unsigned)
- Information Disclosure Statement
- Form PTO/SB/08A
- Assignment document and recordal cover sheet
- Transmittal Form PTO/SB/13/PCT (2 sheets)
- Certified copy of Canadian priority application serial No. 2,353,051

REMARKS

Pursuant to 35 U.S.C. § 120, the enclosed application is filed as the continuation-in-part of International patent application serial No. PCT/CA02/01055, which designates the United States, originally filed on July 10, 2002, and entitled "Implant for Use in Aesthetic Regions of the Mouth".

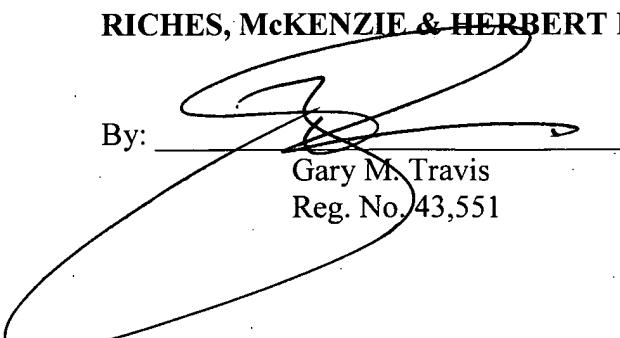
The Examiner is advised that neither International patent application No. PCT/CA02/01055 nor the designation of the United States has been withdrawn prior to the filing date of the present application.

<u>FEES:</u>	<u>Claims Filed</u>	<u>Extra Claims Rate</u>	<u>Basic Fee</u>
Total Claims:	23 - 20	=	\$385.00
Independent Claims:	3 - 3	=	\$ 27.00
Multiple Dependency Penalty (\$140.00)			\$ .00
Assignment Recordal Fee (\$40.00)			\$ .00
		<b>TOTAL FEE</b>	<b>\$40.00</b>
			<b><u>\$452.00</u></b>

The Commissioner is hereby authorized to charge any additional filing or subsequent fees which may be required, (other than the Issue Fee) or credit any overpayment to our Account No. 18-1350. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

RICHES, MCKENZIE & HERBERT LLP

By: 

Gary M. Travis  
Reg. No. 43,551

GMT/lms  
Encl. As above  
Fee: \$452.00  
Ret. Ack. Card

## REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

DOCKET NUMBER	ANTICIPATION CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
	CLASS	SUBCLASS		
P84103				

## Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a  continuation  divisional application under 37 CFR 1.53(b) of pending prior international application Number PCT/CA02/01055, filed on July 10, entitled IMPLANT FOR USE IN AESTHETIC REGIONS OF THE MOUTH 2002, which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	23 - 20 =	3	x \$18.00 =	\$ 54.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	3 - 3 =	0	x \$----- =	
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$----- =	
				BASIC FEE (37 CFR 1.16(a))	770.00
				Total of above Calculations =	824.00
				Reduction by 50% for filing small entity (Note 37 CFR 1.27)	412.00
				Total =	412.00

1. Enclosed are the specification, claims and drawing(s).
2.  Applicant claims small entity status. See 37 CFR 1.27.
3.  The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment of Deposit Account No. 18-1350. A duplicate copy of this sheet is enclosed.
4.  A check in the amount of \$ 452.00 is enclosed.
5.  Payment by credit card. Form PTO-2038 is attached.
6.  Application Data Sheet is enclosed. See 37 CFR 1.76.
7.  If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:  
 Continuation  Divisional of prior PCT application No: PCT/CA02/01055, filed July 10, 2002  
[Page 1 of 2]

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

8.  A declaration under CFR 1.63 is enclosed.

9.  Priority of foreign application number 2,353,051, filed on 12 July 2001 in Canada is claimed under 35 U.S.C. 119(a)-(d).

The certified copy is enclosed.

10.  A preliminary amendment is enclosed.

11.  Also enclosed:

Address all future correspondence to: (May only be completed by applicant, or attorney or agent or record).

Riches, McKenzie & Herbert LLP, 2 Bloor Street East, Suite 1800

Toronto, Ontario M4W 3J5 CANADA (tel: 416-961-5000)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

January 7, 2004

Date

416-961-5000

Telephone Number



Signature

Gary M. Travis

Typed or printed name

43-551

Registration Number, if applicable

Inventor(s)/Applicant(s)

Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

Attorney or agent of record

Filed under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 forms are submitted.